

REMARKS

The indication that claims 15, 18 and 19 include patentable subject matter is acknowledged with thanks. In reliance thereon, the subject matter of claim 19 has been added to claim 1 to place claims 1-12 in condition for allowance. Claim 19 has been canceled. Further, claim 13 has been amended into independent form by adding the allowable subject matter of claim 18 thereto, and claim 18 has been canceled. In addition, claim 14 has been amended into independent form by adding the subject matter of claims 1 and 13 and allowable claim 15 thereto. Claim 15 has been canceled. Accordingly, consideration and allowance of claims 1-14 and 16-17 are respectfully requested.

Reconsideration of the requirement for restriction is respectfully requested. In the previous response, applicant pointed out that there was but a single species and that claims 1-19 and 20-38 were in a genus species relationship. That is, the subject matter of claims 20-38 is a species of the subject matter of the genus which is the subject matter of claims 1-19. In response, the Official Action says that the restriction requirement is proper when separate species are within a single application. As noted above, there is but a single species, and this species is a single species of the genus of claims 1-19. There are not separate species in this application, rather a single species and a genus, which is not a separate species. Accordingly, the arguments in the Official Action are not

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supported by the subject matter of the claims under consideration and allowance of claims 20-38 are respectfully requested.

The Official Action notes that the Information Disclosure Statement filed on December 18, 2001 fails to comply with the requirement of 37 CFR §1.98(a)(2) because the parent application did not include copies of the foreign documents cited in the IDS. Since applicant had previously submitted the foreign documents and the Patent Office has apparently lost these documents, as a courtesy to the Examiner, copies of the previously-cited references are enclosed herewith. An indication that these references have been considered is respectfully requested.

The rejection of claims 8-10 under §102 is improper because these claims depend from claim 6 which was rejected under §103. Since claims 8-10 include the subject matter of claim 6, these claims are not properly rejected under §102.

Correction for the record is respectfully requested.

In view of the present amendment, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Please charge the fee of \$88 for the extra independent claim added herewith, to Deposit Account No. 25-0120.

supported by the subject matter of the claims herein and consideration and allowance of claims 20-38 are respectfully requested.

The Official Action notes that the Information Disclosure Statement filed on December 18, 2001 fails to comply with the requirement of 37 CFR §1.98(a)(2) because the parent application did not include copies of the foreign documents cited in the IDS. Since applicant had previously submitted the foreign documents and the Patent Office has apparently lost these documents, as a courtesy to the Examiner, copies of the previously-cited references are enclosed herewith. An indication that these references have been considered is respectfully requested.

The rejection of claims 8-10 under §102 is improper because these claims depend from claim 6 which was rejected under §103. Since claims 8-10 include the subject matter of claim 6, these claims are not properly rejected under §102.

Correction for the record is respectfully requested.

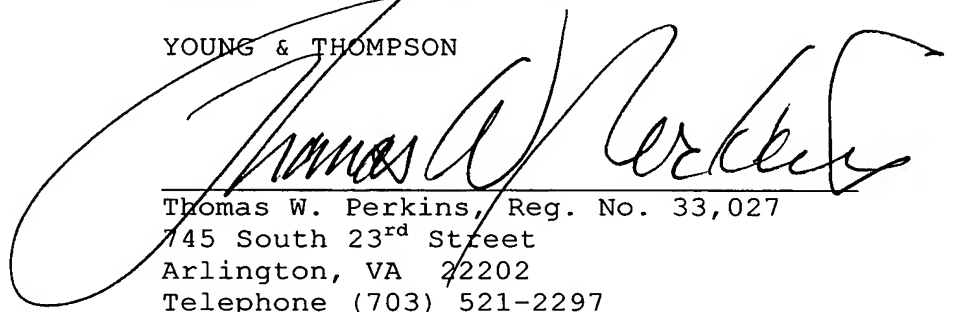
In view of the present amendment, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Please charge the fee of \$88 for the extra independent claim added herewith, to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A large, stylized handwritten signature in black ink, appearing to read "Thomas W. Perkins", is written over the typed name and address.

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TWP/lk

Appendix:

The Appendix includes the following items:

- copies of foreign references listed on Form PTO 1449 filed

December 18, 2001